

47-15-14 (3/95)

Region: 1

CESQG	_____
SQG	_____
GENERATOR	<u>X</u>
TSDf	_____
OTHER	_____
UNANNOUNCED	<u>X</u>
ANNOUNCED	_____

NEW YORK STATE INDUSTRIAL HAZARDOUS WASTE MANAGEMENT ACT
(Chapter 639, Laws of 1978)

Prepared for: Commissioner
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Send to: NYSDEC
Division of Hazardous Substances Regulation
Compliance Inspection Section
50 Wolf Road - Room 436
Albany, New York 12233-7253

EPA I.D. NUMBER: NYD 002 056 679

COMPANY NAME (Corporate): KONICA IMAGING U.S.A., INC.

COMPANY MAILING ADDRESS: 71 CHARLES STREET

City & State: GLEN COVE, NEW YORK 11542

COMPANY LOCATION ADDRESS:
(if different than mailing)
City & State: _____

COMPANY TELEPHONE NUMBER: (516) 674 - 2837

Extension _____

FULL NAME OF COMPANY CONTACT: CHARLES TOZZO

TITLE OF COMPANY CONTACT:

INSPECTION DATE: March 31, 1999

TIME OF INSPECTION: ____ (a.m.) ____ (p.m.)

INSPECTOR'S NAME: MARGARET EMILE, CHEMICAL/CIVIL/ENVIRONMENTAL ENGINEER

REPORT PREPARED BY: Margaret Emile DATE: 4/12/99

REPORT APPROVED BY: [Signature] DATE: 4/12/99

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Part I

General Information and Classification of Facility

1. Identification of Hazardous Waste - 371

Yes No

A. Facility generates and/or stores hazardous waste on-site.

X

(1) X Company filed a RCRA hazardous waste notification and/or Part A of RCRA permit application.

(2) X Company has used knowledge of the hazardous characteristic of the waste to determine if it is hazardous.

(3) X Testing has shown characteristics of:

- (X) Ignitability (D001) - 371.3(b)
- (X) Corrosivity (D002) - 371.3(c)
- () Reactivity (D003) - 371.3(d)
- (X) Toxicity (D004 - 043) - 371.3(e)

(4) X The material is listed in the regulations as a hazardous waste from non-specific sources (F-Waste). 371.4(b).

(5) The waste is listed in the regulations as a hazardous waste from specific sources (K-Waste). 371.4(c).

(6) The material is listed in the regulations as an acute hazardous waste (P-Waste). 371.4(d)(5).

(7) X The material or product is listed in the regulations as a discarded commercial chemical product, off-specification species or manufacturing chemical intermediate (U-Waste). 371.4(d)(6).

(8) The material is listed in the regulations as a waste containing PCBs (B-Waste). 371.4(e).

B. The company notified EPA as a:

GENERATOR

Has EPA or DEC officially modified the company's status? Yes No X If yes, attach correspondence.

C. If the facility is a treatment, storage or disposal facility, have they:

 Submitted a Part A application.

 Should the Part A be modified by the Company? If so, explain.

 Submitted a Part 373 permit application.

 Been granted a Part B permit.* expiration date:

 Been granted a Part 373 permit or operating under SAPA with a Part 360 permit.* expiration date:

*Complete Appendix C - indicate compliance status with permit conditions.

- D. N/A Is the facility operating under a consent order?**
- Have they signed a consent order to resolve violations found during a previous inspection?**

**Complete Appendix D and indicate compliance with each condition of the order.

2. Exemptions

A. Generator Exemptions

- (1) — Not a regulated handler because:
- (a) — Never generated any hazardous waste.
- (b) — No hazardous waste generated within the last 3 years.
- (c) — Company moved in _ (date) to (location) .
- (d) — Company out-of-business.
- (e) — Company sold to _____ (new owner) .
- (2) — Samples collected for testing - 372.1(e)(5).
- (3) — Residues of hazardous waste in empty containers - 372.1(e)(6).
- (4) — A hazardous waste which is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit or an associated non-waste treatment manufacturing unit is not subject to regulation until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing, or for storage or transportation of product or raw materials - 372.1(e)(7)(i).

B. TSD Exemptions

- (1) — Storage of hazardous waste that is generated on-site in containers or tanks for a period not exceeding 90 days. Other than the storage of liquid hazardous waste over the designated sole source aquifers - 373-1.1(d)(1)(iii).
- (2) — Storage in containers or tanks of liquid hazardous waste generated on-site over the designated sole source aquifers for a period not exceeding 90 days. These storage areas must comply with the requirements of this exemption whenever any quantity of liquid hazardous waste is stored in tanks, or whenever the total quantity of liquid hazardous waste stored on-site in containers exceeds 185 gallons - 373-1.1(d)(1)(iv).
- (3) — The on-site storage and treatment of hazardous waste by generators that generate less than 100 kilograms of hazardous waste in any calendar month and store less than 1,000 kilograms. The conditionally exempt small quantity generator requirements listed in subdivision 371.1(f) of this Title remain applicable. If at any time the amount of hazardous waste exceeds 1,000 kilograms, this exemption does not apply. This exemption applies to the on-site storage and treatment of acute hazardous wastes only if the generator generates and stores in any calendar month such acute hazardous waste in quantities less than those listed in 373-1.1(d)(1)(i)(b) of this paragraph - 373-1.1(d)(1)(v).
- (4) — The storage and recycling of the recyclable materials identified in subparagraphs 371.1(g)(1)(iii) and (iv) of this Title - 373-1.1(d)(1)(vi).

- (5) — The storage of the following recyclable materials is exempt from permitting provided that Subpart 374-1 is complied with. (NOTE: Subpart 374-1 will require that the facility also complies with selected sections of this Part.) - 373-1.1(d)(1)(vii):
- (a) — recyclable materials used in a manner constituting disposal (see section 374-1.3);
 - (b) — hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under section 373-2.15 or 373-3.15 of this Title (see section 374-1.8);
 - (c) — recyclable materials from which precious metals are reclaimed (see section 374-1.6);
 - (d) — spent lead-acid batteries that are being reclaimed (see section 374-1.7).
- (6) — The recycling of hazardous wastes is exempt from permitting provided 373-2.2(c) (identification number), 372.4(b) (use of manifest system), 372.4(d)(1) (manifest discrepancies) and clause 373-1.1(d)(1)(viii)(d) are complied with. (Storage of hazardous waste prior to recycling is not exempt under this subparagraph.) In addition: 373-1.1(d)(1)(viii):
- (a) — This exemption is available to:
 - (1) — Commercial facilities that reclaim precious metals, as defined in 374-1.6 of this Title;
 - (2) — Mobile or transportable commercial facilities which operate on the generator's site, if a containment area, meeting the requirements of 373-2.9(f), is provided for the reclaiming facility and any associated, temporary container holding or storage area.
 - (b) — This exemption is not available to any units, other than boilers and industrial furnaces, that burn hazardous wastes for energy recovery.
 - (c) — Exempted processes that recycle the hazardous wastes listed in 2B(5)(a-d) must comply with Part 374 of this Title in lieu of the requirements specified in this subparagraph. (Note: Part 374 will require that the facility also complies with selected sections of this Part.)
 - (d) — Owners or operators of facilities subject to RCRA permitting requirements with hazardous waste management units that recycle hazardous waste are subject to the requirements of sections 373-2.27, 373-2.28, 373-3.27 and 373-3.28 of this Part.
- (7) — The on-site treatment of hazardous waste, by the generator, in the same tanks or containers used for accumulation and storage is exempt provided the generator complies with Part 373-1.1(d)(1)(iii) and (iv) and Part 372.2(c)(4). Any treatment or placement of hazardous waste in a manner that constitutes land disposal, as defined in subdivision 370.2(b), does not qualify for this exemption - 373-1.1(d)(1)(ix).
- (8) — Totally enclosed treatment facility - 373-1.1(d)(1)(xi).
- (9) — Elementary neutralization units or wastewater treatment units, as defined in Part 370 of this Title, other than units that are part of commercial hazardous waste management facilities as defined in Part 370 of this Title. Elementary neutralization units and wastewater treatment units located at commercial hazardous waste management facilities that are only used to neutralize or treat hazardous waste resulting from the recycling of hazardous wastes or from the reclamation of precious metals from hazardous wastes are also exempt. Elementary neutralization units and wastewater treatment units that are used to commercially neutralize or

treat hazardous wastes, generated only at geographically continuous sites, and transported via dedicated pipeline are also exempt - 373-1.1(d)(1)(xii).

- (10)___ Accumulation areas are exempt, provided that they are used to accumulate waste in accordance with the requirements of subparagraph 372.2(a)(8)(i) of this Title - 373-1.1(d)(1)(xiv).
- (11)___ A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of paragraph 372.2(a)(4) of this Title at a transfer facility for a period of ten calendar days or less is exempt, provided that the transfer facility is not located on the site of any commercial hazardous waste treatment, storage or disposal facility subject to permitting under this Part. Complete Part VII - 373-1.1(d)(1)(xi).

3. Hazardous Waste Generation/Treatment/Storage/Disposal

- A. Describe only the activities that result in the generation of hazardous waste. Include manufacturing processes that generate hazardous waste. [Do not include hazardous waste treatment processes.]

Konica Imaging U.S.A., Inc. manufactures photographic paper and photochemical (fixers and developers) for the news media.

- B. Describe any on-site hazardous waste treatment processes that result in the generation of hazardous waste (exempt and/or non-exempt). Include process diagrams if available.

Konica Imaging manufactures photographic paper and photochemical (fixers and developers) for the news media.

- C. Identify the hazardous wastes that are on-site, the quantity of each, the storage method, the type and size of containers or tanks used and their location in the storage area. (Be as specific as possible.)

- (1) Accumulation Areas [NOTE: Waste in accumulation areas must be included as part of the total quantity of waste on-site]:

- (2) Container Storage Areas for CESQG, SQG or Generator*

8-55 gal. container containing Methanol

- (3) Tank Storage Areas for CESQG, SQG or Generator*

1 - 750 gal. above-ground tank
1 - 1,000 gal. above-ground tank

*	CESQG	-	unlimited storage time provided less than 1,000 kg is stored on-site.
	SQG	-	180 days (or 270 if TSD is over 200 miles away) and less than 6,000 kg is stored on-site.
	Generator	-	90 days or less storage.

(4) Interim Status/Permitted Container Storage Areas:

(5) Interim Status/Permitted Tank Storage Areas:

(6) Any other treatment, storage or disposal units such as lagoons, surface impoundments, landfills, waste piles, incinerators, energy recovery units, or underground injection units:

4. Status Identification:

A. Generator Status

- (1) ☐ Conditionally Exempt Small Quantity Generator (CESQG) - generates less than 100 kg/mo of non-acute hazardous waste or 1 kg/mo of acute hazardous waste. Complete Part III - 372.1(f)(6), 371.1(f)(7).
- (2) ☐ Small Quantity Generator (SQG) - generates more than 100 kg/mo but less than 1,000 kg/mo of non-acute hazardous, and accumulates no more than 6,000 kg of non-acute hazardous waste on-site. Complete Part IV - 372.2(a)(8)(iii).
- (3) ☒ Generator - generates more than 1,000 kg/mo of non-acute hazardous waste or generates more than 1 kg of acute hazardous waste in a calendar month. Complete Part V - 372.2(a)(8)(ii).

B. Treatment, Storage or Disposal Facility (TSDF)

- (1) ☐ Hazardous waste is stored greater than 90 days.*,**
- (2) ☐ Hazardous waste is received from off-site and not beneficially used, reused or legitimately recycled or stored.*
- (3) ☐ Hazardous waste is treated on-site in non-exempt units.*
- (4) ☐ Hazardous waste is disposed of on-site.*

* (If checked Complete Part VI and/or appropriate Appendices)

** (Do not complete for generators only that have exceeded the 90 day storage limit.)

C. Transporter Status

Yes ☐ No ☐ Hazardous waste is transported by this company.

If Yes, Complete Part VII

Permit No. _____

NOT FOR RELEASE TO COMPANY, PROTECTED INFORMATION

Part II

Comments, Conclusions and Recommendations Section

Facility Name : KONICA IMAGING U.S.A., INC.

EPA I.D. No. : NYD 002 056 679

Date of Inspection: March 31, 1999

General Comments and Conclusions (list violations and give a short description of each violation providing enough information to prove that a violation has occurred).

During the inspection the following violations were observed:

1 - The dates upon which each period of accumulation begin are not clearly marked and visible for inspection on one (1) 55 gallon container containing Methanol, as required by 6 NYCRR Sections 372.2(a)(8)(ii), 373-1.1(d)(1)(iii)(c)(2), 373-1.1(d)(1)(iv)(d);

2-Konica Imaging did not have written job description for each position related to hazardous, as required by 373-3.2(g)(4)(ii); and

3 - Konica Imaging U.A.S. did not have the names, addresses and office and home phone numbers of all persons qualified to act as emergency coordinator, as required by 373-3.4(c)(4).

NOT FOR RELEASE TO COMPANY, PROTECTED INFORMATION

Recommendations

☐ No violations found. Thank you letter should be issued.

A warning letter should be issued.

☒ A strong warning letter should be issued.

☐ A complaint should be issued and a fine levied.

☐ Other (please explain)*

*Do not refer cases directly to the BECI unit. All BECI referrals
will be made by the Central Office.

Part V

LARGE QUANTITY GENERATOR

Indicate:

X Violations

Indicate:

X Satisfactory
NA Not Applicable

The generator who generates 1,000 kilograms or more per month of non-acute hazardous waste or generates greater than 1 kg per month of acute hazardous waste has complied with the following:

1. General Requirements

- | | | | |
|-----|---|--|-----|
| (a) | — | The generator has made a determination as to whether or not his solid waste is a hazardous waste - 372.2(a)(2). | _X_ |
| (b) | — | The generator has obtained an EPA identification number - 372.2(a)(3). | _X_ |
| (c) | — | Before transporting or offering hazardous waste for * transportation off-site the generator has packaged the waste in accordance with the applicable USDOT regulations - 372.2(a)(4). | _X_ |
| (d) | — | Before transporting or offering hazardous waste for * transportation off-site the generator has labeled each package of waste in accordance with the applicable USDOT regulations - 372.2(a)(5). | _X_ |
| (e) | — | Before transporting or offering hazardous waste for * transportation off-site the generator has marked each container or package of waste properly - 372.2(a)(6). | _X_ |

* Note: This does not apply to drums in storage.

2. Accumulation Area Requirements - 372.2(a)(i)

- | | | | |
|-----|---|---|-----|
| (a) | — | The containers appear to be in good condition and are not in danger of leaking - 373-3.9(b). | _X_ |
| (b) | — | Hazardous waste is stored in containers made of compatible materials - 373-3.9(c). | _X_ |
| (c) | — | All containers except those in use are closed - 373-3.9(d)(1). | _X_ |
| (d) | — | Containers holding hazardous waste must not be opened, handled or stored in a manner which may rupture the containers or cause them to leak - 373-3.9(d)(2). | _X_ |
| (e) | — | Containers are marked with the words "Hazardous Waste" and with other words that identify the contents of the containers - 372.2(a)(8)(i)(a)(2). | _X_ |
| (f) | — | Hazardous waste may be accumulated in excess of 55 gallons or 1 quart of acutely hazardous waste at or near the point of generation provided that Section 372.2(a)(8)(ii) requirements are met within 3 days, and the container holding the excess accumulation is marked with the date the excess amount began accumulating - 372.2(a)(8)(i)(b). | _X_ |

3. 90 Day Storage - 372.2(a)(8)(ii) (See Referral)

- | | | | |
|-----|-----|--|-----|
| (a) | — | All wastes are shipped off-site to an authorized treatment, storage or disposal facility (TSDF) in 90 days or less - 372.2(a)(8)(ii). | _X_ |
| (b) | _X_ | The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container - 372.2(a)(8)(ii), 373-1.1(d)(1)(iii)(e)(2), 373-1.1(d)(1)(iv)(d). | — |

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

Container Storage Requirements (This section will also be completed for TSDF's as referred from Part VI.)

- (c) ☐ The containers appear to be in good condition and are not in danger of leaking. (If containers are leaking, describe the type, condition, contents and number that are leaking or corroded. Be detailed and specific) - 373-3.9(b). ☒
-
- (d) ☐ Hazardous waste is stored in containers made of compatible materials - 373-3.9(c). (If not, please explain.) ☒
-
- (e) ☐ All containers except those in use are closed - 373-3.9(d)(1). ☒
- (f) ☐ Containers holding hazardous waste must not be opened, handled or stored in a manner which may rupture the containers or cause them to leak - 373-3.9(d)(2). ☐
- (g) ☐ Each container is marked with the words "Hazardous Waste" and with other words to identify the contents - 373-3.9(d)(3). ☒
- (h) ☐ The containers and storage area are inspected at least weekly - 373-3.9(e). ☒
- (i) ☐ The generator complies with the following special requirements related to storage of ignitable or reactive wastes - 373-3.9(f): ☒
- (1) ☐ Containers holding ignitable or reactive waste are located at least 15 meters (50 feet) from the facility property line - 373-3.9(f). ☒
- (2) ☐ Generator has taken precautions to prevent accidental ignition or reaction of ignitable or reactive waste by separating and protecting such waste from sources of ignition or reaction - 373-3.2(h)(1). ☒
- (3) ☐ Generator has placed "No Smoking" signs conspicuously wherever there is a hazard from ignitable or reactive waste - 373-3.2(h)(1). ☒
- (j) ☐ The generator complies with the following special requirements related to incompatible wastes - 373-3.9(g): ☐
- (1) ☐ Incompatible wastes, or incompatible wastes and materials, are not placed in the same container, or in an unwashed container that previously held an incompatible waste or material unless the placement is conducted to prevent the following - 373-3.9(g)(1) & (2): ☐
- (a) ☐ the generation of extreme heat or pressure, fire or explosion, or violent reaction - 373-3.2(h)(2)(i); ☒
- (b) ☐ production of uncontrolled toxic mists, fumes, dusts or gases in sufficient quantities to pose a risk of fire or explosions - 373-3.2(h)(2)(ii); ☒
- (c) ☐ production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions - 373-3.2(h)(2)(iii); ☒
- (d) ☐ damage to the structural integrity of the device or facility containing the waste - 373-3.2(h)(2)(iv); or ☒

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

- (e) — a threat to human health or the environment - 373-3.2(h)(2)(v). —X—
- (2) — Containers holding a hazardous waste that is incompatible with any waste or other materials stored nearby in other containers, piles, open tanks, or surface impoundments must be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.- 373-3.9(g)(3). —X—
- (k) — Special requirements for generators of liquid hazardous waste over sole source aquifers or generators that store more than 8,800 gallons of liquid hazardous waste - 373-1.1(d)(1)(iii), 373-1.1(d)(1)(iv). —X—
- (1) — The container storage areas are within a secondary containment system designed and operated in accordance with the following* - 373-1.1(d)(1)(iv)(f): —X—
- (a) — The base under the containers must be free of cracks or gaps and sufficiently impervious to contain collected material until it is removed - 373-2.9(f)(1)(i). —X—
- (b) — The base must be sloped or the containment system otherwise designed and operated to drain and remove liquid unless the containers are elevated or protected from contact with accumulated liquids - 373-2.9(f)(1)(ii). —X—
- (c) — The containment system must have sufficient capacity to contain 10 percent of the volume of containers or the volume of the largest container, whichever is greater. Containers that do not contain free liquids are not considered in this determination - 373-2.9(f)(1)(iii). —X—
- (d) — Run-on is prevented unless the system has sufficient excess capacity over that required in (3) - 373-2.9(f)(1)(iv). —X—
- (e) — Accumulated waste and precipitation must be removed as necessary to prevent overflow - 373-2.9(f)(1)(v). —X—
- * This requirement does not apply to generators of liquid hazardous waste over a sole source aquifer if the container storage volume does not exceed 185 gallons.
- (2) — The generator of liquid hazardous waste over a sole source aquifer has a written closure plan - 373-3.7(c)(1). X—
- (3) — The closure plan identifies the steps necessary to perform partial and/or final closure of the facility at any point during its active life. The closure plan must contain the information required by 373-3.7(c)(2)(i) - (vii)** - 373-3.7(c)(2). X—
- ** If a violation is checked, please attach a sheet listing the deficiencies in the closure plan.

4. Tank Storage Requirements - 373-3.10 (See Appendix E)

1. — Generators must complete Appendix E*, except for 373-3.10(h)(3) Items 11C1 through 5. In addition, 373-3.7 and 3.8 which are cross-referenced do not apply except for 373-3.7(b) and (e).
2. — Generators over sole-source aquifers complete Appendix E, except for 373-3.10(h)(3), Items 11C1 through 5 and 373-3.8 (financial requirements).

* Note: Generators storing less than 185 gal of liquid hazardous waste in tanks, do not have to comply with secondary containment requirements given in Appendix E (Pages E-7 to E-10).

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

5. Manifest, Reporting and Recordkeeping Requirements

- (a) ☐ Hazardous waste is shipped off-site with an accompanying manifest - 372.2(b)(5)(i). ☒

If "violation" is checked, please elaborate.

- (b) List the frequency of shipments and the amount of waste per shipment.

AN AVERAGE OF 1,000 Kg/month.

- (c) The transporter has a valid Part 364 permit or is otherwise authorized to transport the waste to the designated facility - 372.2(b)(5)(ii). ☒

List transporter and permit number.

SAFETY-KLEEN CORP. - SCD 987 574 647
FREEHOLD CARTAGE, INC. - NJD 054 126 164
SAFETY-KLEEN CORP.- ILD 984 908 202
LAIDLAW ENVIRONMENTAL - SCD 987 574 647

- (d) ☐ The generator offers for shipment or ships hazardous waste to an authorized facility. - 372.2(b)(5)(iii). ☒
If violation, list names of any unauthorized facilities.

SAFETY-KLEEN CORP. - MAD 982 755 639
SAFETY-KLEEN CORP. - CTD 001 156 009
SAFETY-KLEEN CORP. - MDD 980 554 653
LAIDLAW ENVIRONMENTAL - NJD 053 288 239

- (e) ☐ Each manifest is completed in accordance with the instructions found in Appendix 30 of Part 372 - 372.2(b)(1). [Indicate items in violation]

	Generator	Trans 1	Trans 2	TSDf	
(1)	Name of <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(2)	EPA ID No. of <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(3)	Mailing Address of <input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(4)	Telephone No. of <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(5)	Manifest Document #				<input checked="" type="checkbox"/>
(6)	The proper USDOT description.				<input checked="" type="checkbox"/>
(7)	The appropriate: <input type="checkbox"/> quantity, <input type="checkbox"/> container number, <input type="checkbox"/> container type, and <input type="checkbox"/> waste type by units of weight or volume.				<input checked="" type="checkbox"/>
(8)	Signed certification that the materials are properly classified, described, packaged, marked and labeled, and are in proper condition for transportation under regulations of the USDOT and NYSDEC.				<input checked="" type="checkbox"/>

- (f) ☐ The generator has received signed copies (from the TSD facility) of all manifests for wastes shipped off-site more than 35 days ago: ☒

☐ If not, exception reports have been submitted covering these shipments - 372.2(c)(3). ☒

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

- (g) — The generator must distribute copies of the manifest as specified on the manifest form, postmarked within five (5) business days of the shipment date - 372.2(b)(3). X
- (h) — For international shipments the generator has done the following - 372.2(b)(4)(i):
- (1) — The EPA and the Department have been notified 60 days prior to shipment of the hazardous waste destined for treatment, storage or disposal outside the United States - 372.5(c)(1). N/A
- (2) — Delivery of the wastes has been confirmed by the consignee within 90 days of acceptance by initial transporter - 372.5(e)(2). N/A
- (3) — Primary exporters of hazardous waste must file with the Administrator and the Department no later than March 1 of each year, a report summarizing the types, quantities, frequency, and ultimate destination of all hazardous waste exported during the previous calendar year - 372.5(f)(1). N/A
- (i) — The generator has complied with the requirements of Section 372.6 for interstate shipments - 372.2(b)(4)(ii). X
- (j) — The generator has complied with the requirements for shipping by rail or water (bulk) found in Section 372.7 - 372.2(b)(4)(iii). N/A
- (k) — A copy of each manifest has been kept for at least three years from the date the waste was accepted by the initial transporter - 372.2(c)(1)(i). X
- (l) — A copy of each Annual Report and Exception Report must be kept for a period of at least three years from the due date of the report - 372.2(c)(1)(ii). X
- (m) — A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Part 372.2(a)(2) for at least three years - 372.2(c)(1)(iii). X
- (n) — All records required under subdivision 372.2(c) were furnished upon request, or made available at a reasonable time for inspection - 372.2(c)(1)(iv). X
- (o) — There is written communication that the designated treatment, storage or disposal facility is an authorized treatment, storage or disposal facility for the particular wastes being offered for shipment and has capacity to accept the hazardous waste set forth on the manifest and will assure the ultimate disposal method is followed - 372.2(b)(2)(i). X
- (p) — There is written communication that the designated transporter is authorized to deliver the waste to the facility on the manifest - 372.2(b)(2)(ii). X
- (q) — A generator who ships hazardous waste off-site to a treatment, storage or disposal facility located within the United States must submit an Annual Report on forms specified by the Commissioner - 372.2(c)(2). X

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

6. Personnel Training - 373-3.2(g)

- (a) The following documents and records are maintained at the facility - 373-3.2(g)(4): X
- (1) the job title for each position at the facility related to hazardous waste management and name of the employee filling each job - 373-3.2(g)(4)(i); X
- (2) X a written job description for each position - 373-3.2(g)(4)(ii);
- (3) a written description of the type and amount of both introductory and continuing training that will be given to each person related to hazardous waste management - 373-3.2(g)(4)(iii); and X
- (4) records that document that the training or job experience required has been given to and completed by facility personnel - 373-3.2(g)(4)(iv). X
- (b) The training program is directed by a person trained in hazardous waste management procedures and must include instruction which teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. The components are - 373-3.2(g)(1)(i), (ii) and (iii): X
- (1) Procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment; X
- (2) Key parameters for automated waste feed cutoff systems; X
- (3) Communications or alarm systems; X
- (4) Response to fires and explosions; X
- (5) Response to groundwater contamination incidents; and X
- (6) Shutdown of operations. N/A
- (c) Facility personnel have successfully completed the program by the effective date of these regulations or six months after the date of their employment - 373-3.2(g)(2). X
- (d) Facility personnel have taken part in an annual review of the initial training required - 373-3.2(g)(3). X
- (e) Training records on current personnel have been kept permanently at the facility (until closure) - 373-3.2(g)(5). X
- (f) Training records on former employees have been kept for at least three years from the date the employee last worked at the facility - 373-3.2(g)(5). X

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

7. Preparedness and Prevention - 373-3.3

- | | | | |
|-----|-----|---|---------|
| (a) | ___ | The facility is maintained and operated to minimize the possibility of a fire or explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water - 373-3.3(b). | ___X___ |
| (b) | ___ | The facility must be equipped with the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below - 373-3.3(c): | ___X___ |
| (1) | ___ | An internal communication or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel - 373-3.3(c)(1); | ___X___ |
| (2) | ___ | A device, such as a telephone (immediately available at the scene of operations) or a hand-held, two-way radio capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams - 373-3.3(c)(2); | ___X___ |
| (3) | ___ | Portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment - 373-3.3(c)(3); and | ___X___ |
| (4) | ___ | Water at adequate volume and pressure to supply water hose streams, or foam-producing equipment, or automatic sprinklers, or water spray systems - 373-3.3(c)(4). | ___X___ |
| (c) | ___ | Facility communications or alarm systems, fire protection equipment, and spill control equipment are tested and maintained as necessary to assure their proper operation in time of emergency - 373-3.3(d). | ___X___ |
| (d) | ___ | Personnel involved in hazardous waste operations have immediate access to an internal alarm or emergency communication device - 373-3.3(e). | ___X___ |
| (e) | ___ | The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency unless aisle space is not needed for any of these purposes - 373-3.3(f). | ___X___ |
| (f) | ___ | The facility owner or operator has attempted to make the following arrangements as appropriate with local authorities for the type of waste handled at the facility and the potential need for the services of these organizations - 373-3.3(g)(1): | ___X___ |
| (1) | ___ | Arrangements to familiarize police, fire departments and emergency response teams with the functions and layout of the facility - 373-3.3(g)(1)(i); | ___X___ |
| (2) | ___ | Where more than one police and fire department might respond to an emergency, an agreement designating primary emergency authority to a specific police and a specific fire department, and agreements with any others to provide support to primary emergency authority - 373-3.3(g)(1)(ii); | ___X___ |
| (3) | ___ | Agreements with State emergency response teams, emergency response contractors, and equipment suppliers - 373-3.3(g)(1)(iii); and | ___X___ |

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

(4) ☐ Arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions or releases at the facility - 373-3.3(g)(1)(iv). ☒

(g) ☐ Where state or local authorities decline to enter into such arrangements, the owner or operator has documented the refusal in the operating record - 373-3.3(g)(2). ☒

8. Contingency Plan - 373-3.4

(a) ☐ The facility has a contingency plan or some other emergency plan which incorporates hazardous waste management - 373-3.4(b)(1). ☒

(b) ☐ If the facility has a Spill Prevention, Control, and Countermeasure Plan (SPCC) or some other emergency plan, that plan need only be modified to incorporate hazardous waste management provisions that are sufficient to comply with the Contingency plan requirements - 373-3.4(c)(2). ☒

(c) ☐ The following are included in the contingency plan - 373-3.4(c): ☒

(1) ☐ A description of the actions facility personnel must take in response to fires, explosions or any unplanned sudden or non-sudden releases of hazardous waste or hazardous waste constituents to air, soil or surface water; 373-3.4(c)(1). ☒

(2) ☐ A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services; 373-3.4(c)(3). ☒

(3) ☒ Names, addresses and office and home phone numbers of all persons qualified to act as emergency coordinator; 373-3.4(c)(4). ☒

(4) ☐ An up-to-date list of all emergency equipment at the facility, and decontamination equipment, where this equipment is required; 373-3.4(c)(5). ☒

(5) ☐ The location and a physical description of each item on the list, and a brief outline of its capabilities; 373-3.4(c)(5). ☒

(6) ☐ An evacuation plan for facility personnel, where there is a possibility that evacuation could be necessary - 373-3.4(c)(6). ☒

(c) ☐ Copies of the contingency plan are maintained at the facility - 373-3.4(d)(1). ☒

(d) ☐ Copies of the contingency plan have been submitted to all local police departments, fire departments, hospitals, and State and local emergency response teams that may be called upon to provide emergency services - 373.3.4(d)(2). ☒

(e) ☐ The contingency plan has been amended, as necessary, when applicable regulations were revised, the plan failed in an emergency, the facility changes or the list of emergency coordinators or equipment changes - 373-3.4(e). ☒

(f) ☐ There is at least one employee either on the facility premises or on call with the responsibility and authority for coordinating all emergency response measures. This emergency coordinator must be thoroughly familiar with all aspects of the contingency plan, all operations and activities, the facility layout, the location and characteristics of all wastes handled and the location of all records - 373-3.4(f). ☒

Indicate:

Indicate:

X Violations

X Satisfactory
NA Not Applicable

9. Emergency Procedures - 373-3.4(g)

- (a) ☐ During a past emergency situation the emergency coordinator (or his designee when the emergency coordinator is not on call) immediately activated emergency procedures - 373-3.4(g).* ☒

*Do not go back further than the previous inspection date.

- (b) ☐ The following was done:
- (1) ☐ Activated internal facility alarms or communication systems; ☒
 - (2) ☐ Notified appropriate state or local agencies; ☒
 - (3) ☐ Immediately identified the character, exact source, amount and areal extent of any released materials; ☒
 - (4) ☐ The emergency coordinator assessed possible hazards to human health and the environment; ☒
 - (5) ☐ The emergency coordinator, after determining that the facility had a release, fire or explosion which could threaten human health or the environment outside the facility, reported his findings; ☒
 - (6) ☐ During the emergency, the emergency coordinator took all reasonable measures necessary to ensure that fire, explosions and releases do not occur, recur or spread to other hazardous waste; ☒
 - (7) ☐ The emergency coordinator monitored for leaks, pressure buildup, gas generation or ruptures in valves, pipes or other equipment, where appropriate during the facility's response to the emergency; ☒
 - (8) ☐ The emergency coordinator provided for treating, storing or disposing of recovered waste, contaminated soil or surface water, or any other material that resulted from a release, fire or explosion at the facility; ☒
 - (9) ☐ The emergency coordinator ensured that in the affected area no waste that may be incompatible with the released material was treated, stored or disposed of until cleanup procedures were completed; ☒
 - (10) ☐ The emergency coordinator ensured that all emergency equipment listed in the contingency plan was cleaned and fitted for its intended use before operations were resumed; ☒
 - (11) ☐ The owner or operator notified the Commissioner that the facility is in compliance with Part 373-3.4(g)(8) before operations were resumed in the affected areas of the facility; ☒
 - (12) ☐ The owner or operator noted in the operating record the time, date and details of the incident that required implementation of the contingency plan; ☒
 - (13) ☐ The owner or operator submitted a complete written report on the incident within 15 days after the incident occurred. ☒

Indicate:

X Violations

X Satisfactory
NA Not Applicable

Indicate:

PART IV-A

SECONDARY CONTAINMENT REQUIREMENTS FOR TANKS OVER A SOLE SOURCE AQUIFER

Indicate:

X Violations
NA Not Applicable

Indicate:

X Satisfactory

Applicability: Small quantity generator located over a sole source aquifer must provide secondary containment system for tanks, at the time more than 185 gallons of liquid hazardous waste are accumulated, or at the time any liquid hazardous waste are accumulated in underground storage tanks - 373-1.1(d)(1)(iv)(g).

- A. ___ Secondary containment systems must be designed, installed _X_ and operated to prevent any migration of wastes or accumulated liquids out of the system to the soil, groundwater or surface water at any time during the use of tank system - 373-3.10(d)(2)(i).
- B. ___ Secondary containment systems must be capable of detecting _X_ and collecting releases of accumulated liquids until the collected material is removed - 373-3.10(d)(2)(ii).
- C. At a minimum, the containment system is:
1. ___ constructed of or lined with materials that are _X_ compatible with the wastes to be placed in the tank system and must have sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrological forces), physical contact with the waste to which they are exposed, climatic conditions, the stress of installation, (including stresses from nearby vehicular traffic) - 373-3.10(d)(3)(i);
2. ___ placed on a foundation or base capable of providing _X_ support to the secondary containment system, providing resistance to pressure gradients above and below the system, and preventing failure due to settlement, compression, or uplift - 373-3.10(d)(3)(ii);

3. ☐ provided with a leak detection system that is designed and operated so that it will detect the failure of either the primary and secondary containment structure or any release of hazardous waste or accumulated liquid in the secondary containment system with 24 hours, or at the earliest practicable time if the existing detection technology or site conditions will not allow detection of a release within 24 hours - 373-3.10(d)(3)(iii); and
4. ☐ sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills, or precipitation. Spilled or leaked waste and accumulated precipitation must be removed from the secondary containment system within 24 hours, or in as timely a manner as is possible to prevent harm to human health or the environment, if removal of the released waste or accumulated precipitation cannot be accomplished within 24 hours - 373-3.10(d)(3)(iv).

(Note: If the collected material is a hazardous waste under Part 371 of this title, it is subject to management as a hazardous waste in accordance with all applicable requirements of Parts 372 through 374 of this Title. If the collected material is discharged through a point source to waters of the United States, it is subject to the requirements of Parts 700, 701, and 750 of this Title. If discharged to Publicly Owned Treatment Works (POTW's), it is subject to the requirements of Section 307 of the Clean Water Act, as amended. If the collected material is released to the environment, it may be subject to the reporting requirements of 40 CFR Part 302).

D. Secondary containment for tanks includes one or more of the following devices: 373-3.10(d)(4).

1. ☐ a liner (external to the tank) [Complete Item E1]; ☒
2. ☐ a vault [Complete Item E2]; ☐
3. ☐ a double-walled tank [Complete Item E3]; or ☐
4. ☐ an equivalent device as approved by the Commissioner. ☐

E. In addition to Items A through D above, secondary containment systems must meet the following requirements:

1. External liner systems must be - 373-3.10(d)(5)(i):

- (a) ☐ designed or operated to contain 100 percent of the capacity of the largest tank or the volume of all interconnected tanks, whichever is greater, within its boundary - 373-3.10(d)(5)(i)(a); ☒
- (b) ☐ designed or operated to prevent run-on or infiltration of precipitation into the secondary containment system unless the collection system has sufficient excess capacity to contain run-on or infiltration. Such additional capacity must be sufficient to contain precipitation from a 25-year, 24-hour rainfall event - 373-3.10(d)(5)(i)(b); ☒
- (c) ☐ free of cracks or gaps - 373-3.10(d)(5)(i)(c). ☒
- (d) ☐ designed and installed to completely surround the tank and to cover all surrounding earth likely to come into contact with the waste if released from the tanks (i.e. capable of preventing lateral as well as vertical migration of the waste. For onground tanks, the external liner system must also encompass the bottom of the tank) - 373-3.10(d)(5)(i)(d); ☒
- (e) ☐ external concrete liners must be constructed with chemical-resistant water stops in place at all joints (if any) - 373-3.10(d)(5)(i)(e); and ☒
- (f) ☐ external concrete liners must be provided with an impermeable interior coating that is compatible with the stored waste and that will prevent migration of waste into the concrete - 373-3.10(d)(5)(i)(f). ☒

2. Vault systems must be - 373-3.10(d)(5)(ii):

- (a) ☐ designed or operated to contain 100 percent of the capacity of the largest tank or the volume of all interconnected tanks, whichever is greater, within its boundary - 373-3.10(d)(5)(ii)(a); ☐

- (b) — designed or operated to prevent run-on or —
infiltration or precipitation into the secondary
containment system unless the collection system has
sufficient capacity to contain run-on or infiltration.
Such additional capacity must be sufficient to contain
precipitation from a 25-year, 24-hour rainfall event -
373-3.10(d)(5)(ii)(b);
- (c) — constructed with chemical-resistant water stops in —
place at all joints (if any) - 373-3.10(d)(5)(ii)(c);
- (d) — provided with an impermeable interior coating or —
lining that is compatible with the stored waste and
that will prevent migration of waste into the
concrete - 373-3.10(d)(5)(ii)(d).
- (e) — provided with an exterior moisture barrier or be —
otherwise designed or operated to prevent migration
of moisture into the vault, if the vault is subject to hydraulic
pressure - 373-3.10(d)(5)(ii)(f); and
- (f) — provided with a means to protect against the —
formation of and ignition of vapors within the vault,
if the waste being stored or treated -
373-3.10(d)(5)(ii)(e):

(1) meets the definition of ignitable waste under
section 371.3(b); or

(2) meets the definition of reactive waste under
section 371.3(d) and may form an ignitable or
explosive vapor.

3. Double-walled tanks must be - 373-3.10(d)(5)(iii):

- (a) — designed as an integral structure (i.e., an inner —
tank within an outer shell) so that any release from
the inner tank is contained by the outer shell -
373-3.10(d)(5)(iii)(a);
- (b) — protected, if constructed of metal, from both —
corrosion of the primary tank interior and the
external surface of the outer shell -
373-3.10(d)(5)(iii)(b); and

- (c) _____ provided with a built-in, continuous leak detection _____ system capable of detecting a release within 24 hours or at the earliest practicable time, if the owner or operator can demonstrate to the commissioner, and the commissioner concurs, that the existing leak detection technology or site conditions will not allow detection of a release within 24 hours - 373-3.10(d)(5)(iii)(c).

F. Ancillary Equipment - 373-3.10(d)(6).

1. _____ Ancillary equipment must be provided with full secondary _____ containment (e.g., trench, jacketing, double-walled piping) that meets the requirements of 373-3.10(d)(2) & (3), unless they are aboveground and visually inspected for leaks on a daily basis.

G. All Tank Systems (Until secondary containment meeting the requirements of 373-3.10(d) is provided - 373-3.10(d)(9).

1. _____ For non-enterable underground tanks, a leak test that meets _____ the requirements of 373-3.10(b)(2)(v) must be conducted at least annually - 373-3.10(d)(9)(i).
2. _____ For other than non-enterable underground tanks and for all _____ ancillary equipment, an annual leak test, as required in 373-3.10(b)(2)(v), or an internal inspection or other tank integrity examination by an independent, qualified, professional engineer registered in New York that addresses cracks, leaks, corrosion and erosion is conducted at least annually. The owner or operator must remove the stored waste from the tank, if necessary, to allow the condition of all internal tank surfaces to be assessed - 373-3.10(d)(9)(ii).
3. _____ The owner or operator must maintain on file at the facility _____ a record of the results of the assessments conducted in accordance with Items G1 and G2 above - 373-3.10(d)(9)(iii).
4. _____ If a tank system or component is found to be leaking or _____ unfit-for-use as a result of the leak test or assessment required in Item G1 or G2 above, the owner or operator must comply with the requirements of 373-3.10(g). [Complete Item 10 of Appendix E, Page 12 to 15] - 373-3.10(d)(9)(iv).

Company Name : KONICA IMAGING U.S.A., INC.

EPA ID# No. : NYD 002 056 679

Region/Inspector : MARGARET EMILE

Inspection Date : March 31, 1999

APPENDIX A
Land Disposal Restrictions

(For small quantity generators, generators and TSD's that are also generators)

I. Waste Identification

- A. List the hazardous wastes generated by the company.
(List by waste code)

D001, D002, D007, D009, D011
F003, F005
U121, U122, U133, U188

II. Dilution Prohibited as a Substitute for Treatment

- | | YES | NO |
|---|-----|----|
| A. Other than as described in B. below, has the generator, in any way diluted a restricted waste or the residual from treatment of a restricted waste: - 376.1(c)(1). | — | X |
| 1. As a substitute for adequate treatment to achieve compliance with section 376.4. | — | X |
| 2. To otherwise avoid a prohibition in section 376.3. | — | X |
| 3. To circumvent a land disposal prohibition imposed by Article 27. | — | X |

If yes to 1, 2, or 3 above, identify the waste and provide a brief description of the dilution process.

	YES	NO
B. Does the generator dilute characteristic hazardous wastes (in a treatment system which treats wastes subsequently discharged to NYS waters) pursuant to SPDES permit or for purposes of pretreatment under the Clean Water Act? [Dilution is permissible unless another method has been specified as the treatment standard in 376.4(c) (Five Letter Technology codes) or unless the waste is a D003 reactive cyanide wastewater or nonwastewater.]]	—	X

III. Waste Analysis and Recordkeeping - 376.1(g)

A. Determination of Wastes Restricted from Land Disposal.

- | | | | |
|----|----|---|---|
| 1. | — | Except as specified in 376.3(b), the generator has determined if his <u>listed</u> wastes are restricted from land disposal - 376.1(g)(1). | X |
| | | The determination is based on: | |
| | a. | — Testing of the wastes or extracts of the wastes using the test method described in Appendix 35 (TCLP), or | X |
| | b. | — Using knowledge of the wastes | X |
| 2. | — | Except as specified in 376.3(b), the generator has determined if his wastes exhibiting one or more characteristics (<u>D001-D043</u>) are restricted from land disposal - 376.1(g)(1). | X |
| | | The determination is based on: | |
| | a. | — Testing of extracts using the test method described in Appendix 20 (EP-tox), or | X |
| | b. | — Using knowledge of the wastes. | X |
| 3. | — | For ignitable D001 waste (that is not in the High TOC Ignitable Liquids Subcategory* or is not treated by INCIN, FSUBS or RORGS) or corrosive D002 waste that is prohibited under 376.3(e), the generator has determined what underlying hazardous constituents (as defined in 376.1(b)) are reasonably expected to be present in the D001 or D002 waste - 376.1(g)(1). | X |

* High TOC Ignitable Liquids Subcategory - greater than or equal to 10% total organic carbon.

B. Restricted Wastes not Meeting Treatment Standards.

- | | | | |
|----|---|---|---|
| — | | For restricted wastes that do not meet the applicable treatment standards set forth in 376.4 or that exceed the prohibition levels in 376.3(b), the generator has notified the treatment or storage facility in writing. The notice must contain the following information: - 376.1(g)(1)(i). | X |
| 1. | — | EPA Hazardous Waste Number - 376.1(g)(1)(i)(a). | X |
| 2. | — | The corresponding treatment standards for wastes F001-F005, F039, wastes prohibited under 376.3(b), and for underlying hazardous constituents in D001 and D002 if these wastes are prohibited under 376.3(e). | X |
| 3. | — | For all other restricted wastes not included | X |

a. ___ The treatment standard, or X
b. ___ A reference on the notification that, includes: X

(1)	___	The applicable wastewater or nonwastewater category.	X
(2)	___	The applicable waste specific criteria within a waste code.	X
(3)	___	The section(s) and paragraph(s) where the applicable treatment standard appears.	X
For treatment standards expressed as specified technologies, the applicable five-letter treatment code - 376.1(g)(1)(i)(<u>b</u>).			X
The manifest number of the shipment - 376.1(g)(1)(i)(<u>c</u>).			X
For hazardous debris, the contaminants subject to treatment as provided by 376.4(g)(2) and the following statement: "This hazardous debris is subject to the alternative treatment standards of 376.4(g)" - 376.1(g)(1)(i)(<u>d</u>).			X
Waste analysis data, where available - 376.1(g)(1)(i)(<u>e</u>).			X

For restricted wastes that can be land disposed of without further treatment, the generator has submitted a notice and a certification to the treatment, storage, or disposal facility stating that the waste meets the applicable treatment standards and prohibition levels - 376.1(g)(1)(ii).

1. The notice includes the following information:

 a. EPA Hazardous Waste Number - 376.1(g)(1)(ii)(a)(1).

 b. For wastes F001-F005, F039, and wastes prohibited in 376.3(b), the corresponding treatment standards - 376.1(g)(1)(ii)(a)(2).

 c. For all other restricted wastes not included in b. above: - 376.1(g)(1)(ii)(a)(2).

 (1) The treatment standard, or

 (2) A reference on the notification that includes.

 (a) The applicable wastewater or nonwastewater category.

 (b) The applicable waste specific criteria within a waste code.

 (c) The section(s) and paragraph(s) where the applicable treatment standard appears.

d. ___ For treatment standards expressed as
 specified technologies, the applicable
 five-letter treatment code -
 376.1(g)(1)(ii)(a)(2). ___

e. ___ The manifest number for the shipment -
 376.1(g)(1)(ii)(a)(3). ___

f. ___ Waste analysis data where available -
 376.1(g)(1)(ii)(a)(4). ___

2. ___ The certification is signed by an authorized
 representative and makes the required statement -
 376.1(g)(1)(ii)(b). ___

D. Wastes Exempted from Land Disposal Prohibitions.

1. ___ For wastes exempted from land disposal prohibitions
 such as case-by-case extensions, exemptions under
 376.1(f), or nationwide capacity variances, with each
 shipment the generator has submitted a notice to the
 facility receiving the waste stating that the waste is
 not prohibited from land disposal - 376.1(g)(1)(iii). ___

2. ___ The notice includes the following information. ___

a. ___ EPA Hazardous Waste number - 376.1(g)(1)(iii)(a). ___

b. ___ For wastes F001-F005, F039, and wastes prohibited
 in 376.3(b), the corresponding treatment
 standards - 376.1(g)(1)(iii)(b). ___

c. ___ For all other restricted wastes not included in
 b. above: - 376.1(g)(1)(iii)(b). ___

(1) ___ The treatment standard, or ___

(2) ___ A reference, including: ___

(a) ___ The applicable wastewater or
 nonwastewater category. ___

(b) ___ The applicable waste specific
 criteria within a waste code. ___

(c) ___ The section(s) and paragraph(s)
 where the applicable treatment
 standard appears. ___

(d) ___ For treatment standards expressed as
 specified technologies, the applicable
 five-letter treatment code -
 376.1(g)(1)(iii)(b). ___

d. ___ The manifest number of the shipment -
 376.1(g)(1)(iii)(c). ___

e. ___ Waste analysis date, where available -
 376.1(g)(1)(iii)(d). ___

f. ___ For hazardous debris, the contaminants subject
 to treatment as provided by paragraph 376.4(g)(2)
 and the following statement: "This hazardous
 debris is subject to the alternative treatment
 standards of 376.4(g)" - 376.1(g)(1)(iii)(e). ___

g. ___ The date the waste is subject to the
 prohibitions - 376.1(g)(1)(iii)(f). ___

E. Treatment of Prohibited Wastes in Containers or Tanks.

For generators managing a prohibited waste in tanks, containers, or containment buildings, regulated under Part 373-1 and treating that waste in those tanks or containers to meet applicable treatment standards the generator has:

1. Developed and followed written waste analysis plan which describes the procedures the generator will carry out to comply with the treatment standards - 376.1(g)(1)(iv).
2. Kept the plan on-site in the generator's records - 376.1(g)(1)(iv).
3. The following requirements have been met:
 - a. The waste analysis plan has been based on a detailed chemical and physical analysis of a representative sample of the prohibited waste(s) being treated, and contains all information necessary to treat the waste(s), including the selected testing frequency - 376.1(g)(1)(iv)(a).
 - b. The plan has been filed with the Commissioner to implement Part 376 requirements a minimum of 30 days prior to the treatment activity with delivery verified - 376.1(g)(1)(iv)(b).
 - c. Wastes shipped off-site have complied with the notification requirements for restricted wastes meeting treatment standards - 376.1(g)(1)(iv)(c). [Complete Item III.C., pgs. A-4 and A-5.]

F. Recordkeeping.

1. If a generator has determined whether a waste is restricted based solely on knowledge of the waste, all supporting data used to make this determination has been retained on-site in the generator's files - 376.1(g)(1)(v).
2. If a generator has determined whether a waste is restricted based on testing of the waste or an extract developed using the test method described in Appendix 35 (TCLP), all waste analysis data has been retained on-site in the generator's files - 376.1(g)(1)(v).
3. If a generator has determined that he is managing a restricted waste that is excluded from the definition of hazardous or solid waste, or exempt from regulation, under 371, subsequent to the point of generation, the generator has placed in the facility's file a one-time notice stating: - 376.1(g)(1)(vi).
 - a. That the waste is generated,
 - b. That the waste is excluded from the definition of hazardous or solid waste or exempted from regulation, and
 - c. The disposition of the waste.

4. — Generators must retain on-site a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation for at least five years from the date that the wastes were last sent to on-site or off-site treatment, storage, or disposal. This requirement applies to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the waste is excluded from the definition of hazardous or solid waste, or exempted from regulation, subsequent to the point of generation - 376.1(g)(1)(vii). —

G. Alternate Treatment Standards for Lab Packs.

1. — For generators managing lab packs containing wastes identified in Appendix 38 (organometallics), who wish to use the alternate treatment standards, with each shipment the generator has: - 376.1(g)(1)(viii). —
- a. — Submitted a notice to the treatment facility in accordance with 376.1(g)(1)(i). [Complete Item III.B., page A-3] —
- b. — Made a waste determination in compliance with 376.1(g)(1)(v) & (vi). [Complete Items III.F.1-3., pgs. A-6 through A-7.] —
- c. — Submitted the certification provided in 376.1(g)(1)(viii), signed by an authorized representative. —
2. — For generators managing lab packs containing organic wastes specified in Appendix 39, who wish to use the alternate treatment standards, with each shipment the generator has: - 376.1(g)(1)(ix). —
- a. — Submitted a notice to the treatment facility in accordance with 376.1(g)(1)(i). [Complete Item III.B., page A-3] —
- b. — Made a waste determination in compliance with 376.1(g)(1)(v) & (vi). [Complete Items III.F.1-3., page A-6 through A-7.] —
- c. — Submitted the certification provided in 376.1(g)(1)(ix), signed by an authorized representative. —

H. Small Quantity Generators with Tolling Agreements.

- For generators of less than 1,000 kg per calendar month: 376.1(g)(1)(x) —
1. — The waste is reclaimed under a contractual agreement - 372.2(b)(7)(i). —
2. — For the initial shipment of such wastes, the generator has complied with the notification and certification requirements that apply for the wastes subject to the tolling agreement - 376.1(g)(1)(x). [Complete Items III.B, C, or D, pgs A-3 through A-5, as applicable, except for manifest requirements.] —
3. — Small quantity generators must retain on-site a copy of the initial notification and certification, together with the tolling agreement, for at least three years after termination or expiration of the agreement - 376.1(g)(1)(x). —

I. Hazardous Debris.

Generators or treaters who first claim that hazardous debris is excluded from the definition of hazardous waste under paragraph 371.1(d)(5) of this Title, (i.e., debris treated by an extraction or destruction technology provided by Table 1, subdivision 376.4(g), and debris that the commissioner has determined does not contain hazardous waste) are subject to the following notification and certification requirements: 376.1(g)(4).

1. A one-time notification must be submitted to the commissioner to include the following information: 376.1(g)(4)(i).
 - a. The name and address of the authorized Part 360 facility receiving the treated debris - 376.1(g)(4)(i)(a).
 - b. A description of the hazardous debris as initially generated, including the applicable EPA or NYS Hazardous Waste Number(s) - 376.1(g)(4)(i)(b).
 - c. For debris excluded under subparagraph 371.1(d)(5)(i) of this Title, the technology from Table 1, subdivision 376.4(g), used to treat the debris - 376.1(g)(i)(c).
2. The notification must be updated if the debris is shipped to a different facility, and, for debris excluded under subparagraph 371.1(d)(5)(i) of this Title, if a different type of debris is treated or if a different technology is used to treat the debris - 376.1(g)(4)(ii).

IV. Special Rules Regarding Wastes That Exhibit a Characteristic

- A. The generator has determined each waste code applicable to the waste in order to determine the applicable treatment standard under section 376.4. For the purposes of Part 376, the waste must carry the code for a listed waste and also any characteristic code if the waste also exhibits that characteristic, except as specified below in Item B. If the generator determines that the waste displays the characteristic of ignitability (D001) (and is not in the High TOC Ignitable Liquids Subcategory or is not treated by INCIN, FSUBS, or RORGS of subdivision 376.4(c), Table 1), or the characteristic of corrosivity (D002), and is prohibited under subdivision 376.3(e) of this Part, the generator must determine what underlying hazardous constituents (as defined in subdivision 376.1(b) of this Part) - 376.1(h)(1).
- B. For a prohibited waste that is listed and also exhibits a characteristic, the treatment standard for the listed waste code will operate in lieu of the standard for the characteristic code, provided the treatment standard for the listed waste includes a treatment standard for the constituent that causes the waste to exhibit the characteristic. Otherwise the waste must meet the treatment standards for all applicable listed and characteristic codes - 376.1(h)(2).
- C. Prior to land disposal, all prohibited wastes which exhibit a characteristic have been treated to the treatment standards provided in 376.4 - 376.1(h)(3).
- D. For characteristic hazardous wastes that have been treated and are no longer hazardous, the initial generator has shipped the wastes to a Part 360 facility and sent the notification and certification to the Commissioner* - 376.1(h)(4).

* Notification is not required to be sent to the Part 360 facility.

1. ☐ The notification includes the following information: - 376.1(h)(4)(i). ☐
 - a. ☐ The name and address of the Part 360 facility receiving the waste - 376.1(h)(4)(i)(a). ☐
 - b. ☐ A description of the waste as initially generated, including the applicable EPA Hazardous Waste Number(s) and treatability group(s) - 376.1(h)(4)(i)(b). ☐
 - c. ☐ The treatment standards applicable to the waste at the point of generation - 376.1(h)(4)(i)(c). ☐
2. ☐ The certification is signed by an authorized representative and includes the language found in 376.1(g)(2)(v) - 376.1(h)(4)(ii). ☐

V. Prohibitions on Land Disposal

A. Solvent/Dioxin Wastes. - 376.3(a)

1. Does the company generate any of the solvent wastes ☐ YES ☐ NO F001-F005 or any dioxin wastes F020-F023 and F026-F028 that are prohibited from land disposal?
(If yes, complete Item 2.)
2. These wastes may be land disposed provided that:
376.3(a)(1)
 - a. The wastes meet the applicable treatment standards - 376.3(a)(1)(i). ☐ YES ☐ NO
 - b. The company has been granted an exemption from a prohibition pursuant to a petition under 376.1(f) with respect to those wastes covered by the petition - 376.3(a)(1)(ii). ☐ YES ☐ NO
 - c. The company has been granted an extension to the effective date of a prohibition - 376.3(a)(1)(iii). ☐ YES ☐ NO

B. Prohibited Wastes - 376.3(b)(1).

1. Does the company generate any of the following wastes?
(If yes, answer Items 2 through 4 below.)
 - a. Liquid hazardous wastes containing PCB's at concentrations of equal to or greater than 50 ppm - 376.3(b)(1)(i). ☐ YES ☐ NO
 - b. Hazardous wastes containing halogenated organic compounds (HOCs) in concentrations greater than or equal to 1,000 ppm, that are identified as hazardous by a property that does not involve HOCs - 376.3(b)(1)(ii). ☐ YES ☐ NO
 - c. Liquid hazardous wastes that contain over 134 mg/l nickel and/or 130 mg/l of thallium - ☐ YES ☐ NO

376.3(b)(1)(iii).

2. These wastes may be land disposed provided that:
376.3(b)(2).

- a. Persons have been granted an exemption from a prohibitions, or - 376.3(b)(2)(i). ☐ YES ☐ NO
- b. Persons have been granted an extension to the effective date of a prohibition, or - 376.3(b)(2)(ii). ☐ YES ☐ NO
- c. They meet the applicable treatment standards, or are in compliance with all prohibitions set forth in Part 376 or RCRA section 3004(d) - 376.3(b)(2)(iii). ☐ YES ☐ NO

3. ☐ The wastes found in 1.(a)-(c) above have been subjected to the Paint Filter Liquids Test to determine if they are liquids - 376.3(b)(3). ☐

4. ☐ The initial generator of a liquid hazardous waste containing PCBs or a liquid or nonliquid hazardous waste containing HOCs has tested the waste (not an extract or filtrate) or used knowledge of the waste to determine if the waste equals or exceeds the specified prohibition levels (50 ppm for PCBs, 1,000 ppm for HOCs) - 376.3(b)(4). ☐

C. Prohibited Waste Found in 376.3(c) [First, Second, and Third Third Wastes].

1. ☐ The initial generator has tested a representative sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentration in the waste extract or the waste, or used knowledge of the waste to determine if it exceeds the applicable treatment standards - 376.3(c)(7). ☐

D. Waste Specific Prohibitions - Ignitable and Corrosive Characteristic Wastes.

1. ☐ The wastes specified in 6 NYCRR 371.3(b) as D001 (and is in not the High TOC Ignitable Liquids Subcategory), and specified in 371.3(c) as D002, that are managed in systems other than those whose discharge is regulated under Titles 7 and 8 of Article 17 of the ECL, the Clean Water Act (CWA) (see subdivision 370.1(e)), or that inject in Class 1 deep wells regulated under the Safe Drinking Water Act (SDWA) (see subdivision 370.1(e)), or that are zero dischargers that engage in Title 7 and 8 or CWA-equivalent treatment before ultimate land disposal, are prohibited from land disposal. Title 7 and 8 and/or CWA-equivalent treatment means biological treatment for organics, alkaline chlorination of ferrous sulfate precipitation for cyanide, precipitation/sedimentation for metals, reduction of hexavalent chromium, or other technology that can be demonstrated to perform equally or greater than these technologies* - 376.3(d). ☐

* (Note: Deep well injection of hazardous waste is not allowed in New York State.).

E. Variance From a Treatment Standard. - 376.4(e)

1. Has the generator submitted a petition for a variance from a treatment standard where the treatment standard is expressed as a concentration ☐ YES ☐ NO

in the waste or waste extract and the waste cannot be treated to the specified level, or where the treatment technology is not appropriate to the waste? If yes, complete Items (a) and (b) below.

- (a) ☐ A generator that is managing a waste covered by a variance from a treatment standard has complied with the waste analysis requirements for a restricted waste - 376.4(e)(6). ☐
- (b) ☐ During the petition review process, the applicant has complied with all restrictions on land disposal - 376.4(e)(7). ☐

2. Has the generator submitted a petition for a site-specific variance from a treatment standard where the treatment standard is expressed as a concentration in the waste or waste extract and the waste which is generated under conditions specific only to one cannot be treated to the specified level, or the treatment technology is not appropriate to the waste? ☐ YES ☐ NO
If yes, complete Items (a) and (b) below.

- (a) ☐ The generator, treatment facility or disposal facility managing a waste covered by a site-specific variance from a treatment standard has complied with the waste analysis requirements for a restricted waste - 376.4(e)(11). ☐
- (b) ☐ During the application review process, the applicant has complied with all restrictions on land disposal - 376.4(e)(12). ☐

IX. Prohibition on Storage of Restricted Wastes* - 376.5(a)

- A. ☐ The storage of hazardous wastes restricted from land disposal is permitted provided that: - 376.5(a)(1). ☐
1. ☐ The small quantity generator has: ☐
- a. ☐ Stored restricted waste in tanks or containers on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal - 376.5(a)(1)(i). ☐
- b. ☐ Complied with all storage requirements of 372, 373-1, and 373-3 - 376.5(a)(1)(i). ☐
- c. ☐ Stored all restricted wastes for 180/270 days or less - 376.5(a)(1)(i). ☐
2. ☐ The generator has: ☐
- a. ☐ Stored restricted waste in tanks or containers on-site solely for the purpose of the accumulation of such quantities of hazardous waste as necessary to facilitate proper recovery, treatment, or disposal - 376.5(a)(1)(i). ☐
- b. ☐ Complied with all storage requirements of 372, 373-1, 373-2, and 373-3 - 376.5(a)(1)(i). ☐
- c. ☐ Stored all restricted wastes for 90 days or less - 376.5(a)(1)(i). ☐

INSPECTOR'S MULTI-MEDIA CHECKLIST

Facility Name: KONICA IMAGING U.S.A., INC.

Facility Address: 71 Charles Street
Glen Cove, New York 11542

Facility ID No.: NYD 002 056 679

Facility Contact: Charles Tozzo, PE

Facility Phone: (516) 674 - 2837

Inspector's Name: Margaret Emile

Inspector's Phone: (212) 637-4130___ Division/Branch: DECA/RCB

Date of Inspection: March 31, 1999

Referred to : _____ Date: _____

Date Response Received: _____

In Compliance: Yes _____ No _____

If Yes: Violation Resolved _____

Action Taken (describe) _____

INSPECTORS' MULTI-MEDIA CHECKLIST

GENERAL VISUAL CUES OF POSSIBLE NONCOMPLIANCE WARRANTING FURTHER INQUIRY

1. Sloppy housekeeping or poor maintenance in work and storage areas or laboratories.
2. Stains or discoloration of soil, concrete, or floors in work areas.
3. Distressed vegetation - unhealthy, discolored, or dead.
4. Dark smoke or dust clouds, or smoke coming from other than a smoke stack.
5. Unusual odors or strong chemical smells.
6. Sheen on surface waters.

CHECK IT OUT!

1. If you see or hear something suspicious during an inspection, check it out! Ask probing questions:
 - What is it? Is it a waste product?
 - What process produced it?
 - Has it been tested?
 - Where do you normally dispose of it?
 - Do you have a permit for the disposal?
 - How long has the circumstance existed?
 - When did it begin?
2. Pay attention to the situation.
 - Note amount of pollutant that appears to be involved.
 - Note the location.
 - Take notes describing the situation, noting the source of the pollutant and its emission point.
 - Take photographs.

PROGRAM-SPECIFIC QUESTIONS

Refer to program-specific questions in Attachment A appropriate for the facility you are inspecting.

ATTACHMENT A - FOLLOW-UP QUESTIONS

If the facility has a RCRA permit or "interim status" as a treatment, storage or disposal facility (TSDF), do not complete this form but enter the facility's EPA ID number here _____.

1. A. Has the facility determined that it generates hazardous waste?
X YES NO

B. If the facility generates or transports hazardous waste, what is its EPA ID Number? NYD 002 056 679.

2. A. Are there containers or tanks which hold hazardous waste?
X YES NO

B. Are the containers and/or tanks clearly marked with the words "Hazardous Waste," and are they marked with the accumulation start date?
X YES NO*

C. Do hazardous waste storage tanks have secondary containment systems (i.e., berm, vault, double wall tank)? X YES N/A NO*

D. Does the facility store hazardous waste in containers or tanks for longer than 90 days? YES* ☒ NO

REFER to program office if you check an answer marked with *.

3. Does the facility store, treat or dispose of hazardous waste in lagoons, pits, piles or landfills? ☐ YES* ☒ NO
4. Does the facility treat hazardous waste by incineration, precipitation, neutralization or other means to change the physical or chemical nature of the waste? ☒ YES* NO

(Wastewater Treatment Plant)

5. Does the facility accept hazardous waste for treatment, storage or disposal from off-site locations (including off-site facilities owned by the same company)? ☐ YES* ☒ NO
6. Does the facility maintain copies of hazardous waste manifests on-site? ☒ YES ☐ NO*
7. Are there any indications that hazardous waste storage or treatment units (i.e., containers or tanks) are poorly maintained and may cause the release of hazardous waste to the environment? ☐ YES* ☒ NO
8. Are there any indications that chemicals or wastes have been discharged to the environment through improper handling, leaks, spills, dumping or other discharges? YES* ☒ NO
9. A. Does the facility claim to generate non-hazardous process wastes (i.e., excluding office paper wastes, cafeteria wastes, etc.)? ☐ YES* ☒ NO

If NO, go to Question 10. If YES continue:

- B. What type of non-hazardous wastes does the facility handle? (E.g., treatment sludges, ash, solvents, waste oils, etc.)

- C. Very briefly describe the process(es) that generate the wastes in Question 9B.

REFER to program office if you check an answer marked with *.

10. Are there any indications that waste generation, handling, management or disposal practices have resulted in environmental damage or pose the threat of such damage? ☐ YES* ☒ NO

RADIATION

Ask:

1. Are any radioactive materials used or stored at this facility? ☒ YES NO

(Beta Gage - used for testing equipments with low radioactive source. According to facility personnel, the Beta gage was generated on a one-time basis. The Beta gage will be sent to Ecology Services for disposal).

2. If YES, does the facility have a state or federal radiation license? ☐ YES ☒ N/A ☐ NO*

REFER to program office if you check an answer marked with *.

UNDERGROUND STORAGE TANKS (UST)

Ask:

1. Does the facility have regulated USTs? ☐ YES ☒ NO

[A regulated UST has more than 10% of tank volume, including piping, located underground; **and** contains petroleum products or hazardous substances (as defined under CERCLA). Note: USTs containing fuel oil for on-site heating are exempt from UST requirements.]

If YES, ask:

2. Are the USTs registered with the State? ☐ YES ☐ NO*
3. What kind of petroleum product or hazardous substance does UST contain?

4. Is there any evidence of UST leakage/spillage? ☐ YES* ☐ NO
5. When was the UST installed? _____
6. All USTs must have leak detection according to the following schedule:

<u>Installation Date</u>	<u>Leak Detection By December of--</u>
Before 1965 or unknown	1989
1965 - 1969	1990
1970 - 1974	1991
1975 - 1979	1992
1980 - Dec. 1988	1993

All USTs installed after December 1988 must currently be equipped with leak detection.

Leak detection systems include monitoring wells (water or vapor), automatic tank gauging system, interstitial monitoring, manual tank gauging or inventory control plus tank tightness testing.

7. Is some form of leak detection in use for every UST required (based on above schedule) to have it? ☐ YES ☐ NO*
8. Are required records available on-site (e.g., documenting registration and leak detection)? ☐ YES ☐ NO*

REFER to program office if you check an answer marked with *.

AIR

Stationary Source Compliance

1. With sun BEHIND you, observe: Is opaque smoke being emitted from a smokestack, vent or opening? ☐ YES* ☒ NO

["Opaque smoke" is smoke -- not steam -- dark enough to obscure anything behind the plume for five minutes or more. (Steam dissipates at a given point; smoke trails off.) The sun (if not obscured by clouds) should be in a 140° arc behind the observer. Please note whether sun was obscured; if sun was not obscured, note the relative positions of the sun, the observer and the emission point observed.]

2. If YES, ask:

A. Which process or process line is smoke coming from? (Try to be specific, e.g., "Boiler No. 4" or "Coating Line C").

B. What is the cause of the smoke emission? E.g.--

i. Is any air pollution control equipment out of service or turned off while production is ongoing? ☐ YES ☐ NO

ii. If YES: When will it be back on line? _____

iii. Is the facility operating under an unusual load, using different fuels, or process feed materials? ☐ YES ☐ NO

C. Note color of smoke: _____

3. A. Has the facility added any processes or expanded any pre-existing processes in the last two years? ☐ YES ☒ NO

B. If YES: Did the facility obtain any state or federal air pollution permits for the expansion? ☐ YES ☐ NO*

4. A. Does the facility have any coating or printing operations?
☒ YES NO

B. If YES:

ii. Are the coatings or inks used: ☒ water-based or
_____ solvent-based?

REFER to program office if you check an answer marked with *.

- i. If solvent based, are all process lines controlled, or are coating formulations in use which comply with applicable limits? ☐ YES ☐ NO*
- iii. What are the principal solvents or chemical compounds used in process lines? _____
(Ask for copies of MSDS, if available.)
5. **Observe:** Are there strong solvent odors at the facility? ☐ YES ☒ NO
7. Does the facility emit any of the following pollutants: mercury, beryllium, lead or asbestos? ☐ YES* ☒ NO
8. A. Does the facility emit, or use in its processes, vinyl chloride or benzene? ☐ YES* ☒ NO
- B. **If YES:**
- i. From which process lines? . _____
- ii. Does the facility check for leaks on such process equipment? ☐ YES ☐ NO*
9. A. Has the facility undergone any renovations or demolitions during the last 18 months which involved the removal or disturbance of asbestos-containing materials? ☐ YES ☒ NO
- If YES:**
- B. Approximately how many square feet or linear feet of asbestos-containing materials were removed? _____
- C. If the amount exceeded 260 linear feet, or 160 square feet, ***REFER*** to Air program office; and **Ask:** was EPA notified of removal? ☐ YES ☐ NO*

REFER to program office if you check an answer marked with *.

CFC MULTI-MEDIA CHECKLIST QUESTIONS

Motor Vehicle Air Conditioning Recovery/Recycling Compliance Program

1. A. Does the facility perform servicing for motor vehicle air conditioners? ☐ YES ☒ NO

B. If YES:

- i. Does facility have Recover/Recycle or Recovery only equipment? ☐ YES ☐ NO*

Prohibition on venting

2. A. Does the facility have any air conditioning/ refrigeration equipment or industrial compressors, which their employees perform service on (i.e. maintaining, servicing, repairing, or disposing of equipment) involving the refrigerant? ☐ YES ☒ NO

B. If YES:

- i. Does facility have Recovery/Recycle or Recovery only equipment? ☐ YES ☐ NO*

REFER to program office if you check an answer marked with *.

1. **Observe/Ask:** Does the facility dispose of any wastewater (e.g., from its manufacturing processes, wash water or other industrial wastes)?
☒ YES NO

2. **If yes:** Does the facility discharge wastewater into a--

- receiving stream? ☐ YES ☐ NO
- municipal sewer (sanitary or storm) system? ☒ YES ☐ NO
- subsurface disposal system (septic system, drywell or cesspool)? ☐ YES ☐ NO

As applicable, ascertain the name of the stream or sewer system.

3. An NPDES permit is required for discharge to a waterbody; a pretreatment permit is usually issued by the municipality authorizing the discharge to a sanitary sewer system; and a UIC permit is required for subsurface disposal. Does the facility have a permit for each discharge?
☒ YES ☐ NO*

4. Does the facility treat wastewater prior to discharge?
☒ YES ☐ NO

5. **Observe:**

- a. Is the effluent from the wastewater treatment facilities clear and free of solids? ☒ YES ☐ NO*
- b. Is equipment clean and well maintained? ☒ YES ☐ NO*
- c. Are there any unusual odors? ☐ YES* ☒ NO.

6. **Ask:** Is the effluent currently in compliance with the limitations established in the permit, or the terms of an administrative or judicial compliance order?
☐ N/A ☒ YES ☐ NO*

REFER to program office if you check an answer marked with *.

7. Observe/Ask:

- a. How are waste fluids disposed of?
- b. Does the facility have floor or storm drains? ☐ YES ☒ NO

If YES:

Is there fluid in the drains? Is there evidence (staining, etc.) of fluid entering drains? Are storm drains situated so that they could receive spills from truck loading accidents, etc?

- c. Does the facility operator indicate, or is there any evidence that any wastewater, or wastes/spills go into drains? ☐ YES* ☐ NO

B. STORM WATER

1. Are there catch basins, drains, culverts, ditches, etc. on the property intended to convey storm water. Yes If yes ---
 a) Is the storm water conveyed to a (1) treatment facility, (2) combined sewer, (3) separate storm sewer, or (4) surface water?
Wastewater Treatment Plant.
2. Are the storm water discharges covered by a permit or has the discharger applied for a permit? Yes
3. Are materials stored outside? Yes If yes ----
 a) Are materials (1) stored in sealed containers, under tarps or roofs, or (2) are they open to contact with precipitation?
Yes (b) Are outside material handling/storage areas clean and kept in a manner to prevent contamination of runoff? Yes

Yes to
what?
(1) or
(2)?

PUBLIC WATER SUPPLY

1. Observe/Ask: Does the facility have its own water supply (i.e., a well)? ☐ YES ☒ NO
2. If YES: Does the facility provide potable water for 25 or more persons? ☐ YES ☒ NO
3. If YES: Is the facility sampling and analyzing for contaminants in its water supply and reporting the results to the state? ☐ YES ☐ NO*

REFER to program office if you check an answer marked with *.

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)

EMERGENCY PLANNING and COMMUNITY RIGHT TO KNOW

ASK:

1. A. Does the facility have present any of the 360 "Extremely Hazardous Substances" in excess of established threshold planning quantities?
 ___ YES ☒ NO

[Threshold planning quantities are established by regulation, vary by chemical, and range from 1 lb. to 5000 lbs.]

- B. If YES: Was the State Emergency Response Commission (SERC) and Local Emergency Planning Committee (LEPC) notified of their presence for local planning purposes? ___ YES ___ NO*

2. A. Has the facility had a release of an Extremely Hazardous Substance or a CERCLA hazardous substance in excess of the Superfund reportable quantity? ___ YES* ☒ NO

[Reportable quantities vary by substance, ranging from 1 lb. to 5000 lbs. For the purpose of this checklist, assume 1 lb.]

- B. If YES: Was notification of the release provided? ___ YES ___ NO*

- C. If YES:

i. To whom was the notification given?

ii. Was notification oral or written?

iii. If oral, was a written, follow-up report submitted? ___ YES ___ NO*

[If facility cannot identify to whom notification was given, cannot specify whether notification was written or oral, or is not certain whether oral notification was followed by a written follow-up report, *REFER*.]

3. A. Does the facility have on site Material Safety Data Sheets (MSDS) for all hazardous chemicals used, as required under OSHA's Hazard Communication Standard? ☒ YES ___ NO*

- B. If any hazardous chemicals are present in excess of 10,000 lbs., or Extremely Hazardous Substances are present in excess of the threshold planning quantities, have the MSDS (or a list of MSDS),

REFER to program office if you check an answer marked with *.

along with chemical inventory forms, been submitted to state and local emergency planning authorities and the local fire department?
☒ N/A ☐ YES ☐ NO*

EPCRA, Continued

TOXIC RELEASE INVENTORY (TRI)

Ask:

1. Does the facility have 10 or more full-time employees?
☒ YES ☐ NO
2. Is the facility classified under SIC codes 20 through 39?
☒ YES ☐ NO

If the response to either 1. or 2. is "NO," no further questions are required.

3. If both 1. and 2. are YES:

Did the facility use more than 10,000 lbs. of a chemical during a previous calendar year (starting with 1987). ☐ YES ☒ NO

4. If YES:

Did the facility file a Section 313 Toxic Chemical Release Inventory Form R for the chemical? ☐ YES ☐ NO*

For more EPCRA information, call 1-800-535-0202; or the Region II program offices for EPCRA-Emergency Planning and Community Right To Know at 908-321-6194 or for EPCRA-Toxic Release Inventory at 908-906-6890.

REFER to program office if you check an answer marked with *.

TOXIC SUBSTANCES CONTROL ACT (TSCA)

Ask:

1. A. Does the facility use electrical equipment that contains polychlorinated biphenyls (PCBs) (excluding small capacitors and florescent light ballasts)? ☐ YES* ☒ NO
- B. IF YES:
 - i. How many oil filled electrical transformers does the facility have?
 - ii. How many PCB Transformers does the facility have (transformers which contain PCBs at concentrations of 500 ppm or greater)?
2. A. Does the facility have any high temperature hydraulic systems? ☐ YES ☒ NO
- B. If YES:
 - i. Have PCBs ever been used in these systems? ☐ YES* ☐ NO
 - ii. What is the current PCB concentration in these systems?
3. A. Does the facility have any oil filled heat transfer systems? ☐ YES ☒ NO
- B. If YES:
 - i. Have PCBs ever been used in these systems? ☐ YES* ☐ NO
 - ii. What is the current PCB concentration in these systems?
4. A. OBSERVE PCB Items (transformers, capacitors, containers)
 - Are any leaking? ☒ N/A ☐ YES* ☐ NO
 - Do all have a PCB label? ☒ N/A ☐ YES ☐ NO*
5. A. ASK: Does the facility have a PCB storage for disposal area? ☐ YES* ☒ NO
- B. If YES, OBSERVE the PCB storage area. Does it have --
 - PCBs stored for disposal in it? ☐ YES* ☐ NO
 - a roof and walls to keep out rain? ☐ YES ☐ NO*
 - a 6" high impervious containment berm? ☐ YES ☐ NO*

REFER to program office if you check an answer marked with *.

- a PCB label? ☐ YES ☐ NO*
- Is it in the 100-year flood plain? ☐ YES* ☐ NO
- Do all items show the date "removed from service for disposal"? ☐ YES ☐ NO*

TSCA, Continued

6. **ASK:** Does the facility manufacture or import into the United States "new commercial chemicals" [i.e., chemicals which were not previously manufactured in or imported into the United States]? ☐ YES* ☒ NO

[Note: Specific information on such chemicals is protected by TSCA as Confidential Business Information, and should not be obtained.]

For further TSCA information, call the TSCA Assistance Office in Washington at 202-554-1404 or the Region II TSCA program office at 908-321-6759.

REFER to program office if you check an answer marked with *.

SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC)

40 CFR Part 112.1-112.7

Ask:

1. A. Does the facility store oil? ☒ YES ☐ NO

[Note: Oil is not limited to petroleum oil; for example, vegetable oil and transformer oil are regulated oils.]

B. If YES, does the storage capacity exceed --

- i. 660 gallons in any one above-ground tank? ☐ YES* ☒ NO
- ii. 1320 gallons in all above-ground tanks? ☐ YES* ☒ NO
- iii. 42,000 gallons in underground tank(s)? ☐ YES* ☒ NO
2. If the answer to any part of #1. B. was YES, did the facility show you a copy, or have available a Spill Prevention, Control, and Countermeasure (SPCC) Plan? ☐ YES ☐ NO*
3. Did the facility have an oil spill within the last 12 months? ☐ N/A ☐ YES* ☒ NO

Facility Response Plan (FRP)

40 CFR Part 112

- 1) Does the facility have an above-ground oil storage capacity that is greater than or equal to 42,000 gallons and conduct operations that include over-water transfers of oil to or from vessels?
☐ Yes* ☒ No
- 2) Does the facility have an oil storage capacity greater than or equal to one million gallons?
☐ Yes* ☒ No
- 3) Did the facility submit a Facility Response Plan to the EPA?
☐ Yes ☐ No ☒ N/A

REFER to program office if you check an answer marked with *.

WETLANDS

1. Observe:

- A. Are there any wet areas (i.e., marshes, swamps, bogs) on or adjacent to the site, with or without wetlands-type vegetation such as cattails, rushes, or sedges? ☐ YES ☒ NO

[Sketches of several common wetlands plants are attached. Note that there need not be standing water in order for an area to be designated a federal wetland; and some wetlands have shrubs and trees present.]

- B. Are there any waterbodies or waterways on or adjacent to the site?
☐ YES ☒ NO

2. If answer to # 1. A or B was "YES," is there any work (clearing, filling, dredging, ditching, construction on or over the area, etc.) being conducted in these areas, or is there any evidence that such activities have occurred very recently? ☐ YES ☐ NO

3. If YES:

- A. When was the work undertaken? _____

- B. Does the facility have any permits for this work?
☐ YES ☐ NO*

4. If YES:

- A. What agency(s) issued such permits? _____
(E.g., U.S. Army Corps of Engineers; State environmental agency.)

- B. For any federal permits, what specific type of permits are they (i.e., nationwide, regional, individual)?

If facility is unable to provide adequate information in response to # 4., *REFER* to program office.

REFER to program office if you check an answer marked with *.

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

FIFRA

If the inspection is conducted at a manufacturing facility, ask the following:

1. A. Are there any pesticides manufactured, relabeled, or repackaged at this establishment?

___ YES X NO

(Pesticide is (1) any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or (2) any substance or mixture of substances intended for use as a plant regulator, defoliant, or desiccant).

- B. If YES, continue:

Does the establishment have an EPA Establishment Number? (EPA EST. #)

___ YES ___ NO*

(Section 7 of FIFRA requires all establishments producing, relabeling and/or repackaging pesticides be registered with EPA.)

- C. If Yes, enter the Establishment Number here
_____ and continue:

- D. Has the company filed the Annual Pesticide Production Report form?

X N/A ___ YES ___ NO*

(Report is due on March 2 of each year for the previous year's production.)

If the inspection is conducted at a storage-distribution facility or at a retail facility, ask the following:

2. A. Are there any pesticides being held for sale, distribution, or stored at this facility (warehouse)?

X N/A ___ YES ___ NO

B. If YES, continue:

Are there any restricted use pesticides stored, or held for distribution, sale at this facility?

___ YES ___ NO

C. Are there any containers leaking?

___ YES* ___ NO

D. Are pesticides stored next to strong acids, mineral acids, caustic and/or oxidizing materials?

___ YES* ___ NO

If the inspection is conducted at a site where there is a suspicion/indication that pesticides were not properly used, observe and record any visible adverse effects such as human adverse reaction(s), fish kill, dead birds, dead wildlife, plant damage, etc, and ask the following:

3. A. Have pesticides been applied by you (or by an employee of your company or by a pesticide application company?

X N/A ___ YES* ___ NO

B. If YES, continue obtaining the following information:

- Date of application,
- Name of pesticide applied,
- Name of pesticide applicator company (if applicable) or person in your company who made the application,
- Address and/or phone number of pesticide applicator company (if applicable),
- Type of health complaints from employee (if applicable),
- Contact person for follow-up.

REFER to Program Office if you check an answer marked with *.

CRIMINAL ACTS

During the course of this inspection, has anything been brought to your attention which would indicate the following:

1. Is the facility involved in deliberate acts of dumping or discharging wastes?

_____ Yes* X No

2. Is there any evidence of bad intent or conduct? For example, falsification of records or efforts to conceal activities?

_____ Yes* X No

3. Has there been any actual harm to individuals as a result of violations?

_____ Yes* X No

4. Other activity or behavior which you believe indicates criminal behavior?

_____ Yes* X No

Refer to Criminal Investigation Division if you checked Yes.

Revised, 8/96.

PROGRAM	SET(non-SET) CONTACT	PHONE
AIR	Harish Patel	212-637-4046
	Ray Slizys	-4073
EPCRA		
- 313 (TRI)	Nora Lopez	908-906-6890
- non-313 (Emergency Planning & Community Right-to-Know)	Greg Deangelis	-6874
FEDERAL FACILITIES	Jeanette Dadusc	212-637-3492
FIFRA	(Fred Kozak)	908-321-6769
OCEANS	(Doug Pabst)	212-637-3797
RADIATION	(George Brozowski)	-4007
RCRA	Phil Flax	-4143
	Bart George	-3192
REMEDIAL ACTION - NJ	(Carole Petersen)	-4418
-NY & Caribbean	(John Lapadula)	-4262
REMOVAL ACTION	(Bruce Sprague)	908-321-6656
OIL - SPCC & FRP	Chris Jimenez	908-906-6847
TSCA - PCBs	Dave Greenlaw	-6817
WATER	Frank Brock	212-637-3762
WETLANDS	(Daniel Montella)	-3801

Multimedia Coordinator - Charles Zafonte -3515
 Criminal Investigations Div. - William Lometti -3634